

Personnel

Payroll Regulations

Court Leave and
Jury Duty**PURPOSE:**

- .01 All employees except casuals are granted paid time off to serve as jurors (jury duty) or when required to testify or participate in judicial or external administrative proceedings (court leave), including fact-finding activities conducted by federal, state, and local legal or governmental authorities. Casual employees are allowed time off without pay for legally required court attendance or jury duty as prescribed by federal and state laws.

NOTE: An administrative proceeding is one where an agency rather than a jury or judge renders a judgment, such as a Personnel Security Board hearing.

**COURT-LEAVE
RESTRICTIONS:**

- .02 Court leave is not permitted when an employee

Is required to attend a nonwork-related judicial or administrative proceeding as a party to the proceeding ✂.

Testifies as a paid expert witness in a judicial or administrative proceeding.

✂

Also see .11 and AM 726 about employees who appear as witnesses or parties in their official capacity as Laboratory employees.

**EMPLOYEE
RESPONSIBILITY
AND TYPE OF NOTICE:**

- .03 Jury duty or court leave is granted after an employee notifies the cognizant group-level manager and presents a summons, subpoena, notice to appear, or other appropriate judicial or administrative order requiring the employee's presence.

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- RETURN TO WORK:** .04 During the period of jury duty or court leave, employees are expected to report to work on any days or partial days when they are not required to be in court or serving in a capacity described under this policy. *See also* [.09](#).
- MANAGEMENT AND SUPERVISOR RESPONSIBILITY:** .05 Jury duty and court leave are approved by the group-level manager with Laboratory Counsel (LC) providing a review as needed.
- TRAVEL:** .06 Employees covered under this policy are not eligible for travel reimbursement.
- RECORDING TIME AND EFFORT:** .07 Time and effort for employees who qualify for time off in pay status is recorded as “JD” for jury duty or “CL” for court leave. Copies of any summons, subpoena, notice to appear, etc., must be attached to the copy of the time and effort report retained by the group. Any additional days that are requested as paid jury duty or court leave that do not correspond to the summons, subpoena, etc., must be supported by written documentation from the court or other official entity requiring the employee’s attendance.
- .08 Record court leave and jury duty leave to the nearest half-day for exempt employees and to the nearest quarter-hour for nonexempt employees. The employee’s time in travel status to and from the legal proceeding is recorded as CL or JD but only for travel performed during the employee’s scheduled work hours.
- EXAMPLE:*** If an employee whose work schedule is 8:00 a.m. to 5:00 p.m. leaves home at 6:00 a.m. to travel to the court site, the travel performed before 8:00 a.m. cannot be charged to leave.
- .09 The entire workday is recorded as CL or JD for any day in which the employee spends at least 75% of the scheduled workday on court or jury activities and related travel. If the employee spends less than 75% of the scheduled workday on such activities

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and does not report to work, the portion of the workday not charged to CL or JD is charged to vacation or leave without pay (LWOP).

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| FEES: | .10 | Employees qualifying for court leave or jury duty may keep any fees paid to them in connection with their service. |
| OFFICIAL TESTIMONY: | .11 | Employees who present official testimony as defined in AM 726 or who are parties to proceedings as a result of acting within the scope of their Laboratory employment are considered to be fulfilling Laboratory employment responsibilities. See AM 726 . |
| Travel | .12 | Employees who are official parties or who present official testimony are eligible for travel reimbursement. |
| Recording Absence | .13 | Time and effort for an employee in this category is reported as usual for employees in normal work status. |
| Fees | .14 | Employees do not keep any fees for official testimony. Any fee must be submitted to the Travel Team in BUS-1 with the Travel Expense Worksheet. |
| UNOFFICIAL TESTIMONY: | .15 | See AM 726 . |